



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

JRE  
Docket No: 752-00  
3 October 2000

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 September 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, it considered the comments of your counsel.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board noted that you underwent a pre-separation physical examination on 22 August 1995. You stated that you were in good health, and did not report any conditions you felt were disabling. The examining physician noted that you had a history of several medical conditions, but concluded that you were qualified for release from active duty. You were released from active duty on 25 October 1996, and assigned a reenlistment code of RE-1, which indicates that you were eligible and recommended for reenlistment.

The fact that the Department of Veterans Affairs awarded you a combined disability rating of 10% for non-insulin dependent diabetes mellitus, gall bladder removal, and bilateral carpal tunnel syndrome was not considered probative of error or injustice in your case, because the VA assigns disability ratings without regard to the issue of fitness for military duty. As you have not established that you were unfit to perform the duties of your office, grade, rank or rating at the time of your release from active duty, there is no basis for correcting your record to show that you were discharged by reason of physical disability. Accordingly,

your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director